

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)
)
) Misc. No. 08-CV-442 (TFH)
GUANTANAMO BAY)
DETAINEE LITIGATION) Civil Action No. 08-CV-1360 (RBW)
)
)

DECLARATION OF ANDREW I. WARDEN

Pursuant to 28 U.S.C. § 1746, I, Andrew I. Warden, hereby declare:

1. I serve as a Trial Attorney in the United States Department of Justice, Civil Division, Federal Programs Branch. I serve as one of the counsel for respondents in the Guantanamo Bay habeas litigation.

2. On August 21, 2008, I spoke by telephone with the Camp Medical Officer of the Joint Task Force-Guantanamo, Guantanamo Bay, Cuba, (“Doctor”).

3. During my conversation with the Doctor, he stated that petitioner Zayn Al Abidin Muhammad Husayn (ISN 10013) is not in any immediate medical danger and does not suffer from any medical condition that requires emergency medical attention. The Doctor, who has been treating petitioner for the past five months, stated that petitioner is generally in fine health and shows no signs of any conditions that would pose a long term risk to his overall health.

4. With respect to the allegations in petitioner’s motion that petitioner suffers seizures on a regular basis, the Doctor stated that extensive testing has concluded that petitioner does not suffer from any type of epilepsy, as follows. Petitioner has been seen by multiple specialists and sub-specialists, including within the field of neurology, and has undergone extensive testing for seizure activity, including electroencephalography studies and modern diagnostic testing. These

tests have concluded that petitioner has no epileptic indications and does not suffer from any form of epilepsy.

5. The Doctor stated that petitioner has short-lived psychological episodes that last approximately 30 seconds in duration, but these episodes do not cause any short or long term harm to petitioner's health. The Doctor stated that he has personally observed these episodes and petitioner does not lose either respiratory or bladder control. The Doctor has diagnosed these episodes as anxiety-driven psychological events and is working with the petitioner to find strategies to control his anxiety. To that end, the Doctor stated that petitioner has been undergoing treatment with JTF-GTMO mental health staff, including a psychiatrist.

6. The Doctor stated that he met with petitioner today (August 21, 2008) to discuss strategies for controlling petitioner's anxiety and petitioner agreed to the Doctor's proposed treatment regimen.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 21, 2008



ANDREW I. WARDEN